



KING COUNTY
Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

January 24, 2011

Ordinance 17020

Proposed No. 2011-0022.2

Sponsors Gossett and Lambert

1 AN ORDINANCE relating to expanding the duration of
2 special duty assignments required to meet extraordinary
3 county business needs; and amending Ordinance 14233,
4 Section 7, as amended, and K.C.C. 3.15.140.

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 **SECTION 1. Findings:**

7 A. Over the last decade, special duty requests have been subject to a three-tier
8 approval process which has provided for effective oversight and controls on the
9 administration of special duty assignments and pay in the county.

10 B. The ability to provide special duty assignments to county employees has
11 afforded agencies needed staffing flexibility, which has enhanced service delivery
12 utilizing experienced county workers without the need to add positions to the county
13 workforce.

14 C. Since the time that special duty assignment requests and approvals were
15 formally codified, extraordinary business needs have called for a change in the duration
16 of assignments. This is true for special duty assignments needed to backfill employees
17 who are on leave or who are on other important county assignments. This is true for
18 special duty assignments needed to staff large-scale county projects for a limited term

19 such as the Brightwater regional wastewater treatment project and the accountable
20 business transformation project.

21 D. In order to meet extraordinary county business needs for special duty
22 assignments, the code revision is necessary

23 SECTION 2. Ordinance 14233, Section 7, as amended, and K.C.C. 3.15.140 are
24 each hereby amended to read as follows:

25 A. An appointing authority, with the prior written approval of the department director
26 and, when required, the manager of the human resources division (~~((or his or her designee))~~) and
27 the county administrative officer, may (~~((temporarily))~~) assign an employee in a regular position to
28 an existing higher-level classification for a limited term when the higher-level duties and
29 responsibilities comprise the majority of the work performed.

30 B. (~~((The maximum period of special duty is six months, except as provided in this~~
31 ~~section))~~) Depending upon the type of special duty assignment needed for business operations,
32 special duty assignments may be made for up to twelve months, up to three years, and up to five
33 years, respectively.

34 1. (~~((A))~~) In cases where a special duty assignment ((may be extended to a maximum)) is
35 made to provide for additional staffing at a higher level, the assignment may be approved for up
36 to a term of twelve months but only if:

37 a. the assignment is authorized in advance in writing by the department director ((and
38 ~~the manager of the human resources management division before the expiration of the initial six-~~
39 ~~month period))~~; and

40 b. the assignment is needed for work that exceeds either the volume or
41 complexity, or both, than what is routinely expected, but the work is of a limited duration
42 and is not ongoing; the assignment is needed for work which is unanticipated due to

43 unique circumstances which are not expected to reoccur; or the assignment is needed to
44 either develop or implement, or both, a new function, system, or proposal within a
45 division.

46 2. ~~((Any further extensions must be))~~ In cases where a special duty assignment
47 is made to backfill a regular position, the assignment may be approved for up to a term of
48 three years, but only if:

49 a. the backfill assignment is authorized in ~~((writing in))~~ advance in writing by
50 the department director, the manager of the human resources management division and
51 the county administrative officer based upon a specific determination that a special duty
52 assignment continues to meet the requirements ~~((stated))~~ in this chapter and that a
53 position reclassification is not appropriate~~((Such cases shall only include back filling~~
54 ~~for a regular position when:))~~;

55 b. the assignment is made to backfill:

56 (1) an incumbent employee who is absent because of an extended leave of
57 absence for a medical ~~((disability))~~ reason, as required under ~~((reasonable accommodation~~
58 ~~provisions of))~~ applicable county, state or federal law;

59 (2) an incumbent employee who is absent because of military service~~((reserve~~
60 ~~duty))~~; or

61 ~~((e) it is the performance of a project when a higher level of work has a~~
62 ~~definite termination date. Special duty assignments may not exceed two years in~~

63 ~~duration))~~ (3) an incumbent employee who is absent because of assignment to special
64 duty or another assignment; and

65 3. in no cases, may the special duty backfill assignment exceed the term of the
66 incumbent employee's absence.

67 4. In cases where a special duty assignment is made for the performance of a
68 project necessitating a higher level of work, the assignment may be approved for up to a
69 term of three years, but only if:

70 a. the project assignment is authorized in advance in writing by the department
71 director, the manager of the human resources management division and the county
72 administrative officer based upon a specific determination that a special duty assignment
73 continues to meet the requirements in this chapter and that a position reclassification is
74 not appropriate; and

75 (1) the project is clearly defined, a project plan has been developed or the
76 employee will develop a project plan;

77 (2) the project has a beginning and end date of three years or less;

78 (3) the employee will perform duties that are primarily related to a single
79 specifically defined project; and

80 (4) the employee is performing non-routine work for a project outside of the
81 regular scope of the normal division functions.

82 5. In cases where a special duty assignment is made to staff or to backfill staff
83 on a grant-funded, capital improvement, or information systems technology project
84 necessitating a higher level of work, the assignment may be approved for up to a term of
85 three years and, upon justification, extended an additional two years up to a term of five
86 total years, but only if:

87 a. the project assignment is authorized in advance in writing by the department
88 director, the manager of the human resources management division and the county
89 administrative officer based upon a specific determination that a special duty assignment
90 continues to meet the requirements in this chapter and that a position reclassification is
91 not appropriate; and

92 b. the assignment is made to a clearly defined project with a limited term and a
93 definite termination date; or the assignment is made to backfill staff on the project.

94 C. A special duty assignment must be made in writing to the employee before the
95 beginning of the assignment. The written notice must provide the classification title and
96 description and must list the specific duties that the employee is to perform and the
97 duration of the assignment. The written notice must also include a statement that the
98 assignment will not confer on the employee any new privilege, right of appeal, right of
99 position, transfer, demotion, promotion or reinstatement. A special duty assignment may
100 be revoked at any time at the discretion of the appointing authority. Special duty pay
101 may not be assigned retroactively.

102 D. The special duty increase shall be to the first step of the pay range of the
103 existing higher-level job classification or to a pay step in the existing higher classification
104 that provides an increase of ~~((no more than))~~ approximately five percent above the former
105 rate of pay, whichever is greater.

106 E. Special duty compensation may not exceed the top step of the new range if the
107 employee was receiving above-Step-10 incentive pay. In those instances, the pay may
108 exceed the maximum of the new pay range by no more than five percent and shall
109 continue only as long as the incentive pay would have remained in effect.

110 F. When the special duty assignment is completed, the employee's pay shall
111 revert to the pay rate the employee would have received if the employee had not been
112 assigned to special duty.

113 G. Special duty pay shall not be considered part of an employee's base pay rate
114 for purposes of placement within a salary range as a result of promotion or
115 reclassification.

116 H. The executive shall notify the council each year in writing of the total number
117 of county employees on special duty assignment by department. The executive shall file
118 a paper original and electronic copy of each memorandum with the clerk of the council,
119 who shall retain the original and provide an electronic copy to all councilmembers and
120 the lead staff for the government accountability and oversight committee or its successor.

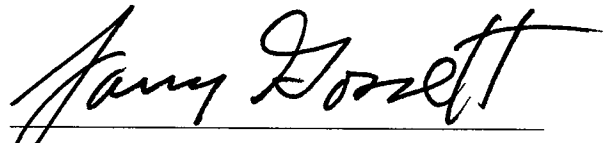
121 SECTION 3. Severability. If any provision of this ordinance or its application to

122 any person or circumstance is held invalid, the remainder of the ordinance or the
123 application of the provision to other persons or circumstances is not affected.
124

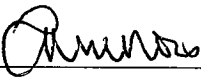
Ordinance 17020 was introduced on 1/10/2011 and passed by the Metropolitan King County Council on 1/24/2011, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott
No: 0
Excused: 0

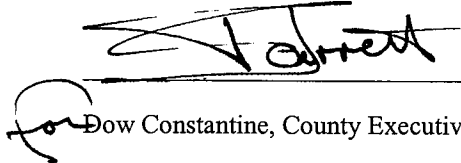
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 25 day of January, 2011.


Dow Constantine, County Executive

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KING COUNTY COUNCIL
CLERK

Attachments: None